

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ADVANCED WATER WELL	§	NO. 5:22-CV-1270-DAE
TECHNOLOGIES, LLC,	§	
	§	
Plaintiff,	§	
	§	
v.	§	
	§	
JONATHAN PRATER,	§	
	§	
Defendants.	§	
	§	

**ORDER ADOPTING REPORT AND RECOMMENDATION OF THE
MAGISTRATE JUDGE AND GRANTING MOTION TO DISMISS**

Before the Court is a Report and Recommendation (“the Report”) (Dkt. # 43) submitted by United States Magistrate Judge Richard Farrer. After reviewing the Report, the Court **ADOPTS** Judge Farrer’s recommendations and **GRANTS** Plaintiff’s Renewed Motion to Dismiss (Dkt. # 30).

The facts preceding this Order are laid out in Judge Farrer’s Report. (See Dkt. # 43.) After conducting a hearing on the matters raised in Plaintiff’s motion as well as conducting a settlement conference, Judge Farrer recommended the case should be dismissed with prejudice because the parties have not engaged in significant discovery or motions practice. (Id. at 2.) Additionally, Judge Farrer noted that Plaintiff has done little to prosecute its case and that the claims may no

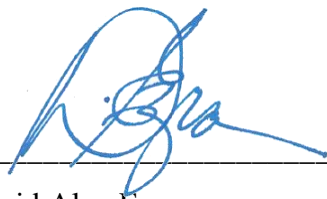
longer be relevant given the amount of time that has passed since the case was initiated. (Id. at 2–3.)

Objections to the Report were due within 14 days after being served with a copy. Where, as here, none of the parties objected to the Magistrate Judge’s findings, the Court reviews the Report for clear error. United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir. 1989). After careful consideration, the Court adopts the Magistrate Judge’s Report. The Court finds the Magistrate Judge’s conclusion that the case should be dismissed is neither clearly erroneous nor contrary to law; however, the Court will dismiss this case without prejudice.

Accordingly, the Court **ADOPTS** the Magistrate Judge’s Report and Recommendation (Dkt. # 43) as the opinion of the Court and **GRANTS** Plaintiff’s Renewed Motion to Dismiss (Dkt. # 30). The case is **DISMISSED WITHOUT PREJUDICE**. The Clerk’s Office is **INSTRUCTED** to **CLOSE THE CASE**.

IT IS SO ORDERED.

DATE: San Antonio, Texas, July 22, 2025.



David Alan Ezra
Senior United States District Judge